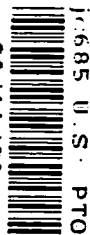


02-14-02

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U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(New nonprovisional applications under 37 CFR 1.53(b))

U.S. PTO

10/074512

A



02/11/02

## Box PATENT APPLICATION

Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Attorney Docket No. S-020211US

Hon. Assistant Commissioner:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b) is the patent application of:

**INVENTOR: Tom Faciszewski, M.D.**

**ENTITLED: BIOPSY/ACCESS TOOL WITH INTEGRATED BIOPSY DEVICE AND CANNULA AND USE THEREOF**

In connection with this application, the following are enclosed:

### APPLICATION ELEMENTS:

- ☒ Specification - Total Pages 28 (including Claims and Abstract)  
(22 pgs of Description, 5 pg(s) of Claims, 1 pg of an Abstract of the Disclosure)
- ☐ Drawings - Total Sheet(s) 11 (Figs. 1-14)
  - ☒ Informal Drawings ☐ Formal Drawings and Official Letter to Draftsperson
- ☐ A Combined Declaration/Power of Attorney signed by the inventor(s).
  - ☒ Newly executed (original or copy)
  - ☐ Unexecuted for information purposes
  - ☐ Copy from a prior application (37 CFR 1.63(d))\*  
(for continuation/divisional with "Continuing Application" Section completed)
  - ☐ Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the proper application, see 37 CFR 1.63(d)(2) and 1.33(b)
- ☐ Incorporation By Reference (\*useable if "Copy from a prior application" box above is checked)  
The entire disclosure of the prior application, from which a COPY of the oath or declaration is supplied as noted above, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Microfiche Computer Program (Appendix)
- ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all are necessary)
  - ☐ Computer Readable Copy
  - ☐ Paper Copy (identical to computer copy)
  - ☐ Statement verifying identity of above copies

10074512-021102

# **ACCOMPANYING APPLICATION PARTS:**

- ☒ Return Receipt Postcard
- ☐ Assignment recordation cover sheet and an assignment of the invention to \_\_\_\_\_
  - ☐ Original ☐ copy – recorded on Recordation Date, at Reel \_\_\_\_\_ and Frame \_\_\_\_\_
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) - ☐ Power of Attorney
- ☐ Information Disclosure Statement (IDS) with Form PTO-1449 and ☐ Copies of Citations
  - ☐ Original ☐ Copy - filed in the prior application
- ☐ Preliminary Amendment
- ☐ Verified Statement establishing Small Entity Status under 37 C.F.R. § 1.9 and 37 C.F.R. § 1.27
  - ☐ Original ☐ Copy - filed in the prior application; status still proper and desired
- ☐ The benefit of priority under 35 U.S.C. § 119 is hereby claimed from [Country] Patent Application No. ####,###, which was filed on [Date]. A certified copy of the above-identified foreign application(s) is ☐ enclosed ☐ was filed in prior Application No. [###]
- ☐ Other: [\_\_\_\_\_]

If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:

- ☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application Serial No. 10/017,770, filed on October 30, 2001.
- ☐ Amend the specification by inserting before the first line the following sentence:  
--This application is a ☐ Continuation, ☐ Divisional or ☐ Continuation-in-part (CIP) of U.S. application serial no [###], filed [Date].

**THE FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:**

|  |              |              | SMALL ENTITY |               | OR | LARGE ENTITY |                 |
|--|--------------|--------------|--------------|---------------|----|--------------|-----------------|
|  | Number Filed | Number Extra | Rate         | Fee           |    | Rate         | Fee             |
| <b>Basic Filing Fee</b>                                      |              |              |              | \$ 370        |    |              | \$ 760          |
| <b>Claims Filed</b>  | 20 - 20      | = *0         | 0 x 9        | = \$ 0        |    | [No.] x 18   | = \$ [No.]      |
| <b>Independent Claims</b>                                    | 2 - 3        | = *0         | 0 x 39       | = \$ 0        |    | [No.] x 78   | = \$ [No.]      |
| <input type="checkbox"/> Multiple Dependent Claims Presented |              |              | [No.] + 130  | = \$ [No.]    |    | [No.] + 260  | = \$ [No.]      |
| * If the difference is less than zero, then enter "0".       |              |              | <b>TOTAL</b> | <b>\$ 370</b> |    | <b>TOTAL</b> | <b>\$ [No.]</b> |

**METHOD OF FEE PAYMENT**

- ☒ A check in the amount of \$370.00 is attached.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ for the above calculated total amount.

**PROVISIONAL PETITION FOR EXTENSIONS OF TIME**

A Provisional Petition is hereby made under 37 C.F.R. § 1.136(a) for any extensions of time required to ensure that any papers due in the U.S. Patent and Trademark Office during the pendency of the attached patent application are timely filed.

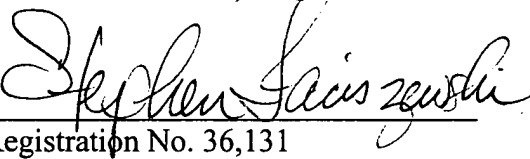
**CORRESPONDENCE ADDRESS**

Please direct all correspondence and telephone calls to:

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c/o M331 Stadt  
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Respectfully submitted,

**STEPHEN FACISZEWSKI, ESQ.**

By:   
Registration No. 36,131  
Attorney for Applicant

Date: February 11, 2002

20074512-02102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Faciszewski**

Group Art Unit: Unassigned

Application No.: Continuation-in-Part of Application No.  
10/017,770

Examiner: Unassigned

Filed: February 11, 2002

Docket No.: S-020211US

For: BIOPSY/ACCESS TOOL WITH INTEGRATED BIOPSY DEVICE AND ACCESS  
CANNULA AND USE THEREOF

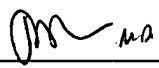
EXPRESS MAIL LABEL NUMBER: EU209201518US

**CERTIFICATE OF MAILING VIA EXPRESS MAIL UNDER 37 C.F.R. §1.10**

I hereby certify that the attached: i) RETURN POSTCARD RECEIPT; ii) SPECIFICATION (22 PAGES); iii) CLAIMS (5 PAGES); iv) ABSRACT (1 PAGE); v) INFORMAL DRAWINGS (FIGURES 1-14, 11 PAGES); vi) DECLARATION/POWER OF ATTORNEY; vii) APPLICATION TRANSMITTAL; and viii) CHECK NO. 3037, FOR \$370.00 (US) are being deposited with the United States Postal Service as "Express Mail" service under 37 C.F.R. §1.10, on the date listed below, addressed to Box PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,

Date: February 11, 2002

By:   
Tom Faciszewski, M.D.  
Applicant

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